

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOE DASILVA, JR.,

Plaintiff,

Civil No. 20-11358

v.

Honorable Mark A. Goldsmith

JOHN E. WHITLEY, in his
official capacity as Acting
Secretary of the Army, AND
MARTIN POTTER, individually
and in his official capacity as
Assistant Chief of U.S. Army
Detroit Arsenal Division,

Defendants.

STIPULATION AND ORDER REGARDING CASE CAPTION

It is stipulated by and between the parties, through their undersigned attorneys, that: (i) John E. Whitley, formerly the Acting Secretary of the Army, shall be replaced as a Defendant in the case by Christine Wormuth, Secretary of the Army pursuant to Federal Rule of Civil Procedure 25(d)(1); and (ii) Martin Potter in his official capacity is eliminated as a Defendant in this case. *See Kentucky v. Graham*, 473 U.S. 159, 166 (1985) (naming a defendant in his or her official capacity is the same as naming the agency for which he or she works). The sole remaining defendants are Christine Wormuth, Secretary of the Army, and Martin Potter in his

individual capacity only.

SO ORDERED.

Dated: February 24, 2022
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

SO STIPULATED AND AGREED:

LAW OFFICE OF KEITH ALTMAN

/s/ Keith Altman (w/consent)

KEITH ALTMAN (P81702)
33228 West 12 Mile Road, Suite 375
Farmington Hills, Michigan 48334
(248) 987-8929
keithaltman@kaltmanlaw.com

Attorneys for Plaintiff

Dated: February 23, 2022

DAWN N. ISON
UNITED STATES ATTORNEY

/s/ Benjamin A. Anchill

BENJAMIN A. ANCHILL (P70968)
Assistant United States Attorney
211 W. Fort Street, Ste. 2001
Detroit, Michigan 48226
(313) 226-9566
benjamin.anchill@usdoj.gov

Attorneys for Defendant Wormuth

Dated: February 23, 2022

BOGAS & KONCIUS, PC

/s/ Brian E. Koncius (w/consent)

BRIAN E. KONCIUS (P69278)
31700 Telegraph Road, Suite 160
Bingham Farms, Michigan 48025
(248) 502-5000
bkoncius@kbogaslaw.com
office@kbogaslaw.com

*Attorneys for Defendant Potter in his
individual capacity only*

Dated: February 23, 2022